

APS-140

February 25, 2005

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. **05-1142**

UNITED STATES OF AMERICA

v.

ANTONIO L. HORNE, SR.,

Appellant

(M.D. Pa. Crim. No. 00-cr-00274)

Present: SLOVITER, NYGAARD AND FUENTES, CIRCUIT JUDGES

Submitted is appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1)

in the above-captioned case.

Respectfully,

Clerk

MMW/SR/lwc

ORDER

The foregoing request for a certificate of appealability is denied because, for substantially the reasons given by the District Court in denying the appellant's section 2255 motion, we conclude that he has not made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(2).

By the Court,

/s/ Richard L. Nygaard
Circuit Judge

Dated: March 23, 2005

lwc/cc: Mr. Antonio L. Horne Sr.
James T. Clancy, Esq.